

Davis, Clay R -FS

From: Johnson, James M -FS
Sent: Thursday, June 27, 2019 11:22 AM
To: Brillenz, David B -FS; Davis, Clay R -FS; Arroyo, JoAnna -FS
Cc: Francine, Nancy -FS; Carpenter, Katherine A -FS
Subject: FW: [EXTERNAL] Hughes Place Pond restoration request

Clay,
Please add the trailing email chain to the California Red-legged Frog Critical Habitat Restoration (BUT-1, Hughes Place) project record (part of our consultation process).
Thanks, Matthew

From: Kuyper, Richard [mailto:richard_kuyper@fws.gov]
Sent: Thursday, June 27, 2019 11:15 AM
To: Johnson, James M -FS <james.johnson2@usda.gov>
Cc: Seymour, Jill-Marie <jill-marie_seymour@fws.gov>; Ian Vogel <ian_vogel@fws.gov>; Eyes, Stephanie <stephanie_eyes@fws.gov>
Subject: Re: [EXTERNAL] Hughes Place Pond restoration request

Hi Matthew,

Due to the time sensitive nature of this request I'm amending the BO (08ESMF00-2019-F-0859) by e-mail rather than letterhead hard copy. This e-mail amends the BO by adding the following language:

Description of the Proposed Action (page 1 of the BO):

The proposed project will remove historic piping that occurs within the historic dam of the existing breeding pond. The pipes are currently allowing water to drain from the pond and there is concern that the pond could dry too early and strand Ca. red-legged frogs that have not metamorphosed. Equipment will be staged on top of the historic dam 10-20 meters from the breeding pond in order to excavate and remove the pipes. Pipe removal will require approximately 1-2 hours of work and is expected to be completed by June 2019. Pipe removal activities will occur within dispersal habitat (primary constituent element) within the CH unit (BUT-1).

Conservation Measures (page 4 of the BO)

- All conservation measures identified in the Biological Opinion will be followed during pipe removal work.
- Forest Service biologists will be present during all pipe removal activities, and operations periodically will be halted during implementation to permit a biologist to inspect the action area for frogs. The inspection area will include 4-5 square meters to ensure the area is not currently occupied by frogs.

Effects of the Action on Listed Species and Critical Habitat and Cumulative Effects (page 12 of the BO)

Pipe removal from the breeding pond will increase disturbance to CRLF compared to pond construction activities described in the Biological Assessment. However, there is not likely to be any significant increase in risk to CRLF during pipe removal activities. Surveys by USFS biologists of the

disturbance area prior to excavation will ensure that Ca. red-legged frogs are not present. Removing the pipes will provide immediate and long-term benefits to the frogs by retaining water in the existing breeding pond, thereby decreasing the chance that immature individuals will be stranded (unable to metamorphose before the pond dries). Pipe removal activities will improve aquatic breeding habitat within the Critical Habitat Unit (BUT-1) and will not alter dispersal habitat quality.

The other portions of the project description, species baseline, effects analysis, conclusion, and reasonable and prudent measures in the May 14, 2019, Biological Opinion remain the same. This concludes the reinitiation of the formal consultation on the proposed project. If you have any questions please let me know.

Thanks again to you and the Plumas NF for implementing this project. We are excited to see these improvements to the existing pond and the construction of the new ponds. A huge benefit to the frog and western pond turtles.

Regards,

Rick Kuyper
Chief - Sierra/Cascades Division
Endangered Species Program
Sacramento Fish and Wildlife Office
U.S. Fish and Wildlife Service
(916) 414-6621

On Thu, Jun 27, 2019 at 10:08 AM Johnson, James M -FS <james.johnson2@usda.gov> wrote:

Dear Rick,

Thanks for taking the call yesterday while you were ill! I am writing to provide you a supplemental information report and amendment to the Biological Assessment for the California Red-legged Frog Critical Habitat Restoration (BUT-1, Hughes Place) on Plumas National Forest. Reference #08ESMF00-2019-F-0859. I am requesting the Service amend the Biological Opinion to include proposed modification to project activities. Please let me know if you have any questions on this time sensitive request.

Sincerely, Matthew

California Red-legged Frog Critical Habitat Restoration (BUT-1, Hughes Place)

Plumas National Forest, Feather River Ranger District, 875 Mitchell Ave., Oroville, CA 95965

Supplemental Information Report and Amendment to the Biological Assessment

June 27th, 2019

The Plumas Nation Forest (PNF) is currently implementing the California Red-legged Frog (CRLF) Critical Habitat (CH) Restoration project (June 24th – present). The purpose of this project is to create breeding habitat in CH unit BUT-1 (see Biological Assessment for details). The Forest Service concluded consultation with Fish and Wildlife Service (FWS) for this action on May 14th, 2019 (08ESMF00-2019-F-0859). Project implementation is progressing as planned with completion anticipated June 28th, 2019.

The project implementation crew (PNF biologists, hydrologists and contractor Thomas R. Biebighauser) discovered historic piping that is draining existing breeding habitat at the site. This new information is of great concern, and PNF is amending the current project to remove historic piping to maintain existing CRLF breeding habitat on the landscape. A FWS site assessment on June 26th provided an opportunity for PNF to discuss this resource concern with FWS (Figure 1; Jill Seymour, Ian Vogel, Stephanie Eyes). The PNF implementation crew will remove historic piping using heavy equipment to retain water in the existing breeding pond (Figures 2-3).



Figure 1.

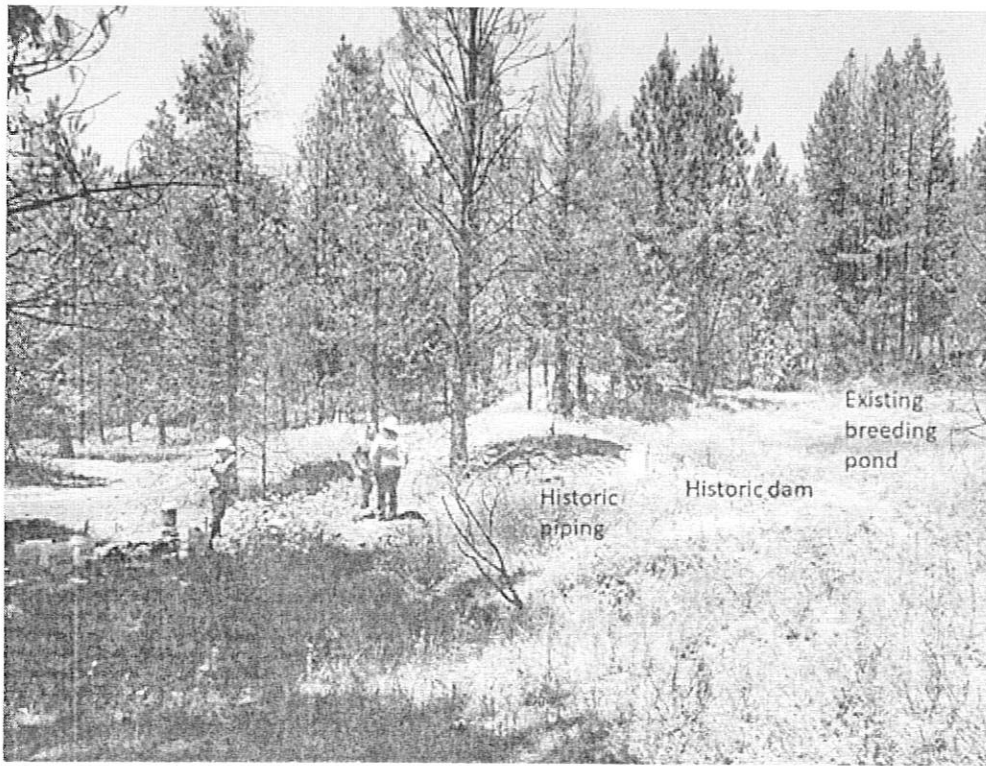


Figure 2.



Figure 3.

Pre-implementation surveys detected three adult CRLF (June 23-24, 2019) in the breeding pond. Prior survey efforts found frogs used the pond each year until it dries, at which time frogs moved through dispersal habitat to adjacent aquatic non-breeding habitat. Frog movements away from the pond occurred during the first 0.5 centimeter of autumn rain (September-November).

Removing historic piping will increase disturbance to CRLF in the existing breeding pond (Figure 2), as it will be necessary to stage equipment on top of a historic dam 10-20 meters from the breeding pond (Figure 3), i.e., heavy equipment will be closer to the pond than required for pond construction activities (Figure 3). Pipe removal activities will occur within dispersal habitat (primary constituent element) within the CH unit (Figure 1). Intensive survey efforts within the pipe removal action area (4-5 square meters of dispersal habitat, Figures 1 and 3) will ensure the area is not currently occupied by frogs. All conservation measures identified in the Biological Opinion will be followed during pipe removal work.

Although pipe removal will increase disturbance to CRLF compared to pond construction activities described in the Biological Assessment, there is not likely to be any significant increase in risk to CRLF during implementation. Forest Service biologists will be present during all pipe removal activities, and operations periodically will be halted during implementation to permit a biologist to inspect the action area for frogs. Pipe removal will require approximately 1-2 hours of work and have immediate and long-term benefit to the species by retaining water in the existing breeding pond. It is not anticipated that pipe removal will reduce dispersal habitat quality. Pipe removal will not stop all flow of water into dispersal habitat, merely reduce the flow to retain breeding habitat for a longer portion of the annual cycle.

The decision to immediately proceed with this necessary work primarily was made for two reasons: 1) to ensure the breeding pond does not continue to drain this summer, potentially stranding immature individuals; and 2) because both technical expertise and equipment are available to complete this critical restoration work and neither will be available at the site for decades to come.

The action of removing historic piping from CH unit BUT-1 does not change my determination that the California red-legged frog critical habitat restoration project May Affect, and is Likely to Adversely Affect *Rana draytonii*, but is Not Likely to Destroy or Adversely Modify designated critical habitat (BUT-1) for the species. To the contrary, removing historic piping will increase breeding habitat quality. Frogs will experience beneficial project effects immediately and these subsidies will continue indefinitely.

Plumas National Forest

Wildlife, Fish, Rare Plant and Invasive Species Program Manager



Matthew Johnson, PhD
Wildlife, Fish, Rare Plants and Invasive Species Program Manager
Forest Service

Plumas National Forest, Forest Supervisor's Office

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